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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,949	04/05/2004	Michael Rooke	60091.00284	2406
32294	7590	11/15/2005	EXAMINER	
SQUIRE, SANDERS & DEMPSEY L.L.P. 14TH FLOOR 8000 TOWERS CRESCENT TYSONS CORNER, VA 22182			LY, NGHI H	
			ART UNIT	PAPER NUMBER
			2686	

DATE MAILED: 11/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/816,949

Applicant(s)

ROOKE ET AL.

Examiner

Nghi H. Ly

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-66 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-66 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>07/20/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1, 2, 4-9, 11-20, 22-27, 29-38, 40-46, 48-53 and 55-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rukman (US 2004/0185883A1) in view of Evslin (US 2005/0009525A1).

Regarding claims 1, 19, 37, 40, 41, 45, 60, 65 and 66, Rukman teaches a multimedia messaging service arrangement in a telecommunications system (see Abstract), the arrangement comprising: a first system entity providing a multimedia

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messaging service to user equipment connected to a network of a system (see a network of a system in fig.1), and a second system entity providing a value added service to a user of the user equipment via the multimedia messaging service (see [0006], see “MMS can be used to send personal multimedia message”, Rukman’s “personal multimedia message” reads on applicant’s “added service”), wherein the first system entity is configured to send a message to the second system entity (see the connection in fig,1), message and roaming (see [0002], see “message” and “roaming”).

Rukman does not specifically disclose in which the message comprises roaming information on the user equipment.

Evslin teaches in which the message comprises roaming information on the user equipment (see page 5, Evslin’s claim 12).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Evslin into the system of Rukman in order to indicate that a cellular phone is roaming from its home network to the IP network (see page 5, Evslin’s claim 12).

Regarding claims 2, 20, 38, 46 and 56, the combination of Rukmand and Evslin further teaches the roaming information (see Rukman, see [0002], see “message” and “roaming”) comprises a roaming status indicating if the user equipment is roaming outside a home network of the user equipment (see page 5, Evslin’s claim 12).

Regarding claims 4, 22, 27 and 48, the combination of Rukmand and Evslin further teaches the second system entity is configured to use the roaming information

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when providing a value added service to the user equipment (see page 5, Evslin's claim 12).

Regarding claims 5, 23 and 49, Rukman teaches the second system entity is configured to adapt, on the basis of the roaming information (see Rukman, see [0002], see "message" and "roaming"), content of at least one multimedia message to be delivered to the user equipment (Abstract, see "MMS").

Regarding claims 6, 24, 50, 61 and 63, the combination of Rukmand and Evslin teaches authentication (see Evslin, [0040]). The combination of Rukmand and Evslin does not specifically disclose the second system entity is configured to encrypt or decrypt at least part of the content of the at least one multimedia message to be delivered to the user equipment according to the roaming information. However, the examiner takes Office notice that such feature as recited is very well known in the art.

Therefore, it would have been obvious to one of ordinary skill in the art a the time the invention was made to modify the above teaching of the Rukmand and Evslin for providing a method as claimed, for encrypting or decrypting the multimedia message.

Regarding claims 7, 25, 51, 62 and 64, the combination of Rukmand and Evslin teaches authentication (see Evslin, [0040]). The combination of Rukmand and Evslin does not specifically disclose the second system entity is configured to perform the encryption or decryption by using digital rights management. However, the examiner takes Office notice that such feature as recited is very well known in the art.

Therefore, it would have been obvious to one of ordinary skill in the art a the time

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the invention was made to modify the above teaching of the Rukmand and Evslin for providing a method as claimed, for encrypting or decrypting the multimedia message.

Regarding claims 8, 26 and 52, Rukmand further teaches the second system entity is configured to determine, on the basis of the roaming information, whether the value added service is providable to the user equipment (see [0002]).

Regarding claims 9 and 53, Rukmand further teaches the second system entity is configured to select a route or a destination of at least one multimedia message to be delivered to the user of the user equipment according to the roaming information (see [0002]).

Regarding claims 11, 29 and 55, Rukman teaches a multimedia messaging service arrangement in a telecommunications system (see Abstract). Dukman does not specifically disclose teaches the second system entity is configured to determine charging related information according to the roaming information and to add the charging related information to at least one multimedia message to be delivered to the user equipment.

Evslin teaches the second system entity is configured to determine charging related information according to the roaming information and to add the charging related information to at least one multimedia message to be delivered to the user equipment (see Evslin, [0037] and [0040]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Evslin into the system of

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Rukman in order to indicate that a cellular phone is roaming from its home network to the IP network (see page 5, Evslin's claim 12).

Regarding claims 12 and 30, the combination of Rukmand and Evslin further teaches the first system entity is configured to send the message comprising the roaming information on the user equipment to the second system entity in response to a request received from the second system entity (see page 5, Evslin's claim 12).

Regarding claims 13 and 31, the combination of Rukmand and Evslin further teaches the first system entity is configured to obtain information on a location of the user equipment from another system entity and to determine the roaming information on the user equipment according to the obtained location information before sending the message comprising the roaming information on the user equipment to the second system entity (see Evslin, [0004]).

Regarding claims 14, 15, 32, 33, 42, 43, 57 and 58, the combination of Rukmand and Evslin teaches claims 1, 19, 37 and 45. The combination of Rukmand and Evslin does not specifically disclose the message comprising the roaming information on the user equipment is an MM7 interface message. However, the examiner takes Office notice that such feature as recited is very well known in the art.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above teaching of the Rukmand and Evslin for providing a method as claimed, for providing another way to transmit message in the 3GPP.

Regarding claims 16, 34 and 44, Rukman further teaches the first system entity comprises a multimedia messaging service centre (see Abstract).

Regarding claims 17, 35 and 59, Rukman further teaches the second system entity comprises a multimedia messaging service value added service application (see Abstract and see [0006], see “MMS can be used to send personal multimedia message”, Rukman’s “personal multimedia message” reads on applicant’s “added service”).

Regarding claims 18 and 36, Rukman further teaches the user equipment comprises a mobile station (see fig.1, mobile phone 102).

4. Claims 3, 10, 21, 28, 39, 47 and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rukman (US 2004/0185883A1) in view of Elizondo (US 6,917,813).

Regarding claims 3, 21, 39 and 47, Rukman teaches message and roaming (see [0002], see “message” and “roaming”). Rukman does not specifically disclose the roaming information comprises an address of a switching centre which the user equipment is using.

Elizondo teaches the roaming information comprises an address of a switching centre which the user equipment is using (see column 2, lines 18-21).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Elizondo into the system of Rukman in order to provide SMS service when different SS7 signaling networks are in use (see [0012]).

Regarding claims 10, 28 and 54, the combination of Rukmand and Elizondo Alvarez further teaches the second system entity is configured to determine a location of the user equipment (see Elizondo, Abstract and column 2, line 66 to column 3, line 2) according to the address of the switching centre which the user equipment is using and provide the user equipment with information relating to the determined location (see column 2, lines 18-21).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Le (US 2004/0171350A1) teaches data management method for running an interactive software.
- b. Dumont (US 2005/0064884A1) teaches optimized message notification.
- c. Alberth (US 6,094,565) teaches closeable communication device and method of operating the same.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi H. Ly whose telephone number is (571) 272-7911. The examiner can normally be reached on 8:30 am-5:30 pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (571) 272-7905. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nghi H. Ly

NH Ly
11/09/05

Charles Appiah
CHARLES APPIAH
PRIMARY EXAMINER